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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
PASQUALE IANNETTI,)
)
Defendant.)

No. CR 09 0850 VRW

STIPULATION AND
~~PROPOSED~~ ORDER CONTINUING
MOTION HEARING

The parties appeared before the Court on January 7, 2010 for status appearance, at which time defense counsel advised that he intends to file a motion to suppress the statement that defendant made at the time that the Postal Inspectors executed the search warrant at his business. The Court scheduled the motion to be heard on March 25, 2010 at 2:00 p.m. The Court also found the time between January 7, 2010 and March 25, 2010 excluded from the time requirements of the Speedy Trial Act based on the complexities of the case, including the fact that the government is seeking to obtain evidence from law enforcement authorities in Italy.

STIP. & [PROP.] ORDER
TO CONTINUE
MOTION HEARING
CR 09 0850 VRW

1 For the following reasons, the parties stipulate to a continuance of the motion
2 hearing and submit the accompanying proposed order re-scheduling the motion hearing
3 for May 13, 2010 at 2:00 p.m.

4 1. Undersigned government counsel's mother has been hospitalized recently and
5 is currently in a care facility in the Monterey area, where she is recovering from
6 pneumonia and hip surgery. Counsel has been out of the office for a portion of the past
7 month, and expects to spend additional time in Monterey during March and April in order
8 to assist her mother in finding necessary care and transitioning back to her home.
9 Accordingly, taking into account these anticipated absences, counsel seeks additional
10 time within which to respond to the defendant's suppression motion.

11 2. In addition, very recently the prosecutor in Milan has agreed to meet with
12 prosecutors from the U.S. Attorney's Offices in San Francisco and Chicago in order to
13 discuss respective MLAT requests in connection with the instant case and extradition
14 issues pertaining to defendants charged in various jurisdictions. Those meetings will take
15 place in Milan during the week of March 8, and undersigned government counsel will be
16 traveling to Milan in order to attend those meetings.

17 3. Undersigned government counsel has discussed these matters with defense
18 counsel, who has agreed to continue the hearing on the suppression motion in order to
19 accommodate government counsel's absences. Defense counsel had advised that his
20 client has no objection to continuing the motions hearing. The parties have checked with
21 the Court's courtroom deputy and have determined that May 13, 2010 at 2:00 p.m. is
22 available for the hearing. Accordingly, the parties stipulate and move for an order from
23 this Court continuing the motions hearing date from March 25, 2010 at 2:00 p.m. to May
24 13, 2010 at 2:00 p.m.

25 4. The parties further stipulate and agree to the following briefing schedule: the
26 defendant will file his motion no later than March 19, 2010; the government will file its
27 response no later than April 16, 2010; and the defendant will file his reply, if any, no later

28 STIP. & [PROP.] ORDER
TO CONTINUE
MOTION HEARING
CR 09 0850 VRW

1 than April 30, 2010.

2 IT IS SO STIPULATED.

3
4 Dated: March 3, 2010

JOSEPH P. RUSSONIELLO
United States Attorney

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6
7 /s/
SUSAN E. BADGER
Assistant United States Attorney

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9
10 Dated: March 3, 2010

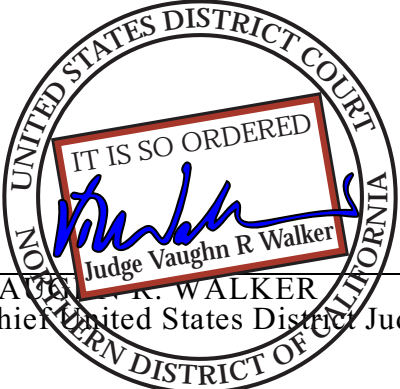
/s/
ALAN A. DRESSLER, Esq.
Counsel for Defendant Pasquale Iannetti

11
12
13 ~~[PROPOSED]~~ ORDER

14 Upon the stipulated motion of the parties, and good cause appearing, IT IS
15 HEREBY ORDERED THAT the motion hearing date in the above-captioned case
16 currently scheduled for March 25, 2010 at 2:00 p.m. is continued to May 13, 2010 at 2:00
17 p.m.

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19 IT IS SO ORDERED.

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22 Dated: 3/5/2010

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VAUGHN R. WALKER
Chief United States District Judge

STIP. & [PROP.] ORDER
TO CONTINUE
MOTION HEARING
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